

MHN

DISTRICT OF Illinois
EASTERN Division.

FILED

JUL 7 2008 *aw*

7-7-2008

MICHAEL W. DOBBINS
CLERK, U.S. DISTRICT COURTMIGUEL RIVERA #64560
PLAINTIFF,

—VS.—

PEOPLE OF THE STATES OF ILLINOIS,
Hon. Judge: Edward E. Fiala - et al
DEFENDANTS,08cv3848
JUDGE HOLDERMAN
MAG. JUDGE ASHMANMOTION FOR DISCOVERY IN FAVORABLE EVIDENCE TO PLAINTIFF

NOW COMES THE PLAINTIFF HEREIN AND PRAYS THAT THE PLAINTIFF MOVES THIS HON. COURT TWO ENTER AN ORDER IN THIS CAUSE REQUIRING THE PROSECUTION TO DISCLOSE AND RELATIVE TO ANY TANGIBLE OBJECTS, TO ~~POSSESSION~~ PRODUCE FOR INSPECTION AND ALL COPYING BY PLAINTIFF, ALL EVIDENCE IN THE POSSESSION AND CONTROL OF ~~THE~~ THE PROSECUTION, OR OTHERS, WHEN THE EVIDENCE MAY BE ELEMENTS AND MATERIAL TO PLAINTIFF INNOCENCE, OR COULD REASONABLY WEAKEN OR AFFECT ANY EVIDENCE PROPOSED TO BE INTRODUCED AGAINST PLAINTIFF, OR IS RELEVANT TO THIS CASE, OR IN ANY MANNER MAY AID PLAINTIFF IN THE ASCERTAINMENT OF THE TRUTH; THE DISCLOSURE AND PRODUCTION TO BE MADE WITHOUT REGARD TO WHETHER THE EVIDENCE TO BE DISCLOSE AND PRODUCED IS DEEMED ADMISSIBLE AT THE TRIAL HEREIN; SAID DISCLOSURE AND PRODUCTION TO INCLUDE BUT NOT BE LIMITED TO THE FOLLOWING EVIDENCE;

- 1.) STATEMENTS OF ALL INDIVIDUALS WHO HAVE BEEN INTERVIEWED BY THE PROSECUTION OR ITS AGENTS IN F.B.I. AND IN CONJUNCTION WITH THIS CASE AND WHOM THE PROSECUTION DOES NOT INTEND TO CALL AT TRIAL.

- 2.) Any and all MEMORANDUM OR SUMMARIES OF ANY ORAL STATEMENTS Made To The PROSECUTION OR ITS AGENTS by any individual in CONJUNCTION With This Case, WHETHER OR NOT STATEMENTS IF The STATEMENTS WERE IN WRITING, have BEEN SIGNED and OR APPROVED BY The WITNESS, OR The STATEMENTS RELATE TO The PROSED SUBJECT MATTER OF The DIRECT TESTIMONY OF The WITNESS AT TRIAL.
- 3.) any and all STENOGRAPHIC RECORDING OR TRANSCRIPTION OF ANY ORAL STATEMENTS THAT IS MISSING FROM TRIAL TRANSCRIPTS AND Made by any individual To The PROSECUTION OR ITS AGENT IN CONJUNCTION With This Case, WHETHER OR NOT The RECORDING OR TRANSCRIPTION IS A SUBSTANTIALLY VERBATIM RECITAL OF The STATEMENTS, OR The STATEMENT RELATES TO The PROPOSED SUBJECT MATTER OF The DIRECT TESTIMONY OF The WITNESS AT TRIAL.
- 4.) The STATEMENTS OF individuals OR MEMORANDA OR RECORDING OF ANY ORAL STATEMENT OF ANY individuals AS F.B.I., WHETHER OR NOT Made To The PROSECUTION OR ITS AGENTS, and The Chicago, IL. Police/Det's.
- 5.) The TRANSCRIPTS OF The TESTIMONY Provided BEFORE The GRAND JURY DURING ITS INVESTIGATION BY F.B.I. and CONSIDERATION OF The SUBJECT MATTER HEREIN by any individuals WHETHER OR NOT The STATE - PROSECUTION INTENDS TO call them TO TESTIFY AT TRIAL.
- 6.) ANY and all MEMORANDA, DOCUMENTS OR STATEMENTS USED BY The Chicago Police Det's, and PROSECUTION DURING ITS INVESTIGATION OF The CASE.
- 7.) The NAMES OF all PERSONS who MAY have SOME KNOWLEDGE OF The Facts ~~FROM~~ OF The CASE, F.B.I., S.S.I. RECORDS, FL-PUBLIC Aid OFFICE.
- 8.) A COPY OF The CRIMINAL RECORDS OF all PERSONS The PROSECUTOR INTENDS TO call AT TRIAL,

- 9.) all REPORTS and MEMORANDA PREPARED ON BEHALF OF THE STATES - PROSECUTION OR OTHERWISE IN CONNECTION WITH THE INVESTIGATION OF THE CASE.
- 10.) WRITTEN OR RECORDED STATEMENTS OR A SUMMARY OF ANY STATEMENT MADE BY PLAINTIFF OR AND THE FORUM MYERS POLICE REPORTS COPIES OF SUCH STATEMENTS BY THE OFFICE OF CHILDREN AND FAMILIES IN F-FL.
- 11.) THE RESULTS OF REPORTS OF ANY SCIENTIFIC TEST OR EXPERIMENTS OR STUDIES MADE IN CONNECTION WITH THE CASE, OR COPIES OF SUCH REPORTS.

WHEREFORE THE PLAINTIFF RESPECTFULLY REQUESTS THAT THE RELIEF SOUGHT IN THIS MOTION BE IN ALL RESPECTS GRANTED.

/s/ Miguel Rivera #64650
PRO SE,